

AGENDA

SPECIAL COMMITTEE ON RIVERFRONT ACTIVITIES AND BASEBALL

(continuation of 11/03/2004 meeting)

**November 8, 2004
Aldermen Lopez, Gatsas,
Guinta, DeVries, Smith**

**4:00 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Chairman Lopez calls the meeting back to order.
 2. The Clerk calls the roll.
 3. Continuing discussion relative to the closing on the Roedel property.
 4. If there is no further business, a motion is in order to adjourn.
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Clougherty, Kevin

From: Eric Chinburg [ECHINBURG@chinburgbuilders.com]
Sent: Friday, October 29, 2004 12:22 PM
To: Clougherty, Kevin
Cc: ROTCH PETER
Subject: Riverfront Payment

Dear Kevin,

Things are progressing well with the financing of my project, but I'm experiencing some delay due to the late title transfer date. I expect to have my equity and debt financing in place by the end of November and be able to make the payment then. I understand there may be some penalty or interest due as a result of this delay and am happy to wire the funds as soon as any amount due is made known to me. Please ask Attorney McCabe to advise me as to any such payment.

Thank you for your patience in this regard. I continue to be bullish on the project and look forward to working with you.

Regards,

Eric Chinburg
President
Chinburg Builders, Inc.
8 Newmarket Road, Suite 2
Durham, NH 03824
(603) 868-5995 x11

11/1/2004

November 3, 2004

Mr. Kevin Clougherty
Finance Officer
City of Manchester

Fax: 603-624-6549, 6 PM

Dear Kevin:

I met with Bob Brooks and representatives of Payton Construction this morning in the site trailer. The purpose of the meeting was to resolve the outstanding issue regarding the cost of retaining wall in front of the hotel. Roedel Partners, LLC entered into an oral agreement with Drew Webber 18-months ago to pay for the wall in order to insure lateral support for the hotel and adjacent patio and we intend to fulfill this obligation.

Unfortunately, the communication between Bob Brooks, Payton Construction and Roedel Partners, LLC was very poor during the initial stages of construction. The wall was designed and constructed prior to responding to our engineers and architects comments regarding structural integrity, testing and budget. This being said, we bid the wall construction separately a came up with a substantially lower cost.

This morning's meeting went very well and the group came to an agreement on the amount of money Roedel Partners, LLC would contribute to the wall's construction pending Drew Webber's approval. This amount equals \$66,500 or \$24.50 PSF. We came to this number by meeting half way on Payton's costs and the highest of our competitive bids. I left the meeting with a very positive feeling.

I received Bob Brooks' letter after 5 PM today. I am surprised to see that he took the opportunity to add additional costs to the deal. But, I remain optimistic that Roedel Partners, LLC and Drew Webber can reach an agreement.

Roedel Partners, LLC does not expect to receive any monies for the wall or the batter's eye structure from the City of Manchester. We are working diligently with 6-4-3 to resolve all of our issues. I remind you that we received our "comfort letter" from the state DES and placed our money to purchase the property from the City into escrow on October 26th. We remain ready, willing and able to close on the land and build a hotel immediately.

If there are any questions please contact me.

Best regards,



David Roedel
Roedel Partners of Manchester, LLC



FAX
FAX(603) 624-6528

Parsons Brinckerhoff Quade & Douglas, Inc.
650 Elm Street
Manchester, NH 03101
Tel: 603-647-2012
Fax: 603-647-2032

Date: 3 November 2004

To: Mr. Tom Arnold
City Manchester

From: Robert D. Brooks, P.E. of
Parsons Brinckerhoff

Re:

Job No.

We are sending you: ☐ Attached fax ☐ Under Separate cover via _____ the following items:

☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☒ Copy of Letter ☐ Change Order ☐ Reports

Copies	Date	No.	Description
1	3 Nov 04	3 inclusive of this page	Letter with spreadsheet
1			

☐ For approval ☐ Approved as submitted ☐ Resubmit
☐ For your use ☐ Approved as noted ☐ Submit
☐ As requested ☐ Return for correction ☐ Return
☐ For review and comment ☒ Response to your communication
☐ For bids due _____ 19 _____ Printed return after loan to us

Remarks:

Susan Manchester instructed me to fax this



Parsons Brinckerhoff Quade & Douglas, Inc.
650 Elm Street
Manchester, NH 03101
Tel: 603-647-2012
Fax: 603-647-2032

November 3, 2004

David Roedel
Roedel Partners, LLC
One Chalet Drive
P.O. Box 598
Wilton, New Hampshire 03086

Re: Versa-Loc Retaining Wall

Dear Dave,

We have reviewed the numbers that you presented at this morning's meeting. We have compared the costs you presented to Payton's (PCC) actual cost.

We have developed a spreadsheet comparing the PCC numbers to your numbers. It appears that you disagree with PCC's cost for installing the wall, and we disagree with your assumptions on ease of which the wall could be constructed. The attached breakdown identifies the discrepancies.

Dick Barisano has a call into Drew to let him know you are willing to pay \$65,500 of the \$76,950 actual cost for the wall. Dick will also inform Drew that you feel you have no responsibility for the front seating wall that holds the advertising signs. Additional unresolved issues include the special backfill for the top 18 inches of the wall which needs to be constructed in 6 inch lifts, the fill required for the 2:1 back slope, and the testing costs by Miller Engineering and Testing that the City wants reimbursement for.

We contacted Drew and Drew would like to discuss this proposal with legal council, Andrea Batchelder, who had previous discussions with you. Andrea is currently in court and will not be available until Monday.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "R. Brooks".

Robert D. Brooks
Owner's Representative

Cc: Dick Barisano
D. Weber
S. Manchester
A. Batchelder

Wall Costs

Fisher Cats Stadium - Versa-Lok Wall at Hotel

Meeting - November 9, 2004 - Dave Roedel, Tom Kukish, Joe Sheehan, Mark Dager, Mark Sullivan, Bob Brooks, Dick Benisano, David Rianstra

Agreed - 2700 Sq. Ft. Wall - (261 lin ft. - 31 lin ft. = 230 lin ft. 230 lin ft x 12' high = 2760 round to 2700 sq. ft.)

Roedel reported estimate

Payton reported Site Specific Installation Costs

\$0.50 Engineer
\$1.35 Color Block
\$3.50 Block Cost
\$2.00 Geo-grid
\$1.00 Stone

\$8.35 Sub - Total - Material Cost

\$9.00 Block and Grid - material cost
Quoted from V-Lok Subcontractor to Payton

\$9.00 Labor - includes block setting
and all earthwork behind wall.

\$5.00 V-Lok Labor - setting block and placing geogrid

\$2.00 Site Specific allowance

\$14.50 Sitework and earthwork behind wall
includes:

Excavation
Backfill
Labor
Extra Material - stone, fill
Placement
Compaction
Filter Fabric
Hotwopper training for site crew
Osha requirements - site specific
Insurance Coverage

\$11.00 Installation Sub-Total

\$19.50 Installation Sub-Total

\$18.35 Total

\$28.50 Total

Notes:

1. The above does not take into account the needed 2 ft. high support walls for the ad panels, and whether these costs should be included above.
2. Price above does not include City Invoice from Miller Engineering received 11-03-04, for \$6100.00 representing soil compaction testing at hotel portion of wall.
3. Price above does not include 18" crushed stone at top of wall - TFM Detail 16533.4 Sheet 2 of 2, dated 9-24-04.
4. Price above does not include 12" bank run gravel or 12" crushed gravel at turf area wall - TFM Detail 16533.4 Sheet 1 of 2, dated 9-24-04.
5. Costs for a batter's eye are not included above. All hotel related costs should be resolved together.

Original Competitive Bids given to Payton Construction for portions of wall for Hotel - separate breakout in Sitework Bid Tab.

Exhibit #1	Exhibit #2	Exhibit #3	Exhibit #4
78,000	75,000	79,600	77,500
78000/2610 = 29.89	75000/2610 = 28.74	79000/2610 = 30.27	77500/2610 = 29.69
Based on Sq. Ft. 261 lin ft x 10 (approx) ft high = 2610 sq. ft (+/-)			